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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,385	03/26/2001	Yoshiaki Komatsu	108634	7847

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EXAMINER	
PATEL, SHEFALI D	
ART UNIT	**PAPER NUMBER**
2621	

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/816,385	KOMATSU, YOSHIAKI	
	Examiner	Art Unit	
	Shefali D Patel	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 October 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10,13-15 and 17-25* is/are rejected.

7)☒ Claim(s) *12 and 16* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 March 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendment was filed on October 28, 2004.

2. Claims 1-25 are pending in this application.

Response to Arguments

3. Applicant's arguments with respect to claims 1-10, 13-15, and 17-25 (on pages 7-10 of Remarks filed on October 28, 2004) have been considered but are moot in view of the new ground(s) of rejection.

Applicant argue on page 8 lines 3-5 stating that "Rhyne fails to disclose all of the features of claim 1, 17, 20 and 23 because Rhyne fails to place a predetermined condition on how strokes are selectively retrieved within a single stroke data storage unit."

The examiner disagrees.

As stated in the previous action mailed on July 30, 2004 and discussed during the interview on October 5, 2004 that Rhyne discloses "a stroke data retrieving unit that retrieves (handwriting recognizer 170 retrieves by recognizing information from SIRCOM 210 as seen in Fig. 2), according to a predetermined condition (predetermined conditions are 1) normal mode or 2) error mode, as disclosed in the stroke router 310 within SIRCOM 210 at col. 7 lines 42-47), at least one piece of the stroke data from the stroke data storage unit, the retrieved stroke data corresponding to at least one stroke included in a predetermined area (stroke data by 1 10, 120 are stored in the data storage device 245 and later retrieved by handwriting recognizer 170 as seen in Fig. 2; the handwriting recognizer 170 recognizes at least one stroke as seen at col. 6 lines 29-32 and 41-47)."

However, now that independent claims 1, 17, 20, and 23 have been amended to clarify that strokes are selectively retrieved within the data storage unit according to a predetermined condition, a new ground of rejection is made in view of Aitani et al. (US 6,055,332).

Applicant further argue on page 9 lines 10-12 stating that "Determining whether strokes should be retrieved from one of two recognition managers 320 is not the same as selectively retrieving strokes within a single recognition manager 320 according to a predetermined condition. Rhyne thus suffers deficiencies as identified in Applicant's specification in that a larger amount of processing time is required in order to retrieve all of the strokes from one of two recognition managers 320."

The examiner disagrees.

The examiner would like to clarify that Rhyne discloses the router 310 that has two modes (normal and error). Stroke are routed and processed differently, depending on which mode the stroke router is in. This is processed by only ONE recognition manager, 320, (col. 7 lines 42-60) and not 'one of two' as the applicant states on page 9 of the arguments.

Claim Objections

4. The following quotations of 37 CFR § 1.75(a) is the basis of objection:

> (a) The specification must conclude with a claim particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention or discovery.

5. Claim 11 is objected to under 37 CFR § 1.75(a) as failing to particularly point out and distinctly claim the subject matter, which the applicant regards as his invention or discovery.

6. Claims 11 recites the limitation "the presently-read stroke data" in lines 3 and 4 (on page 3) and claim 11 also recites the limitation "the precedently-read stroke data" in lines 4-5 (on page 3 filed on October 28, 2004). There is an insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1-10, 15, and 17-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rhyne et al. (hereinafter, "Rhyne") (US 5,511,135) in view of Aitani et al. (hereinafter, "Aitani") (US 6,055,332).

With regard to **claim 1** Rhyne discloses a stroke data editing device, for editing stroke data, indicating at least one stroke of a coordinate input device (col. 4 line 62-67 and col. 7 lines 56-59), comprising:

a stroke data storage unit that stores stroke data (storage device 245 at col. 5 lines 45-47), each piece of the stroke data corresponding to one stroke of the coordinate input device (col. 1 lines 58-64 where the sequence of strokes are defined in x,y coordinates);

a stroke data retrieving unit that (selectively) retrieves (handwriting recognizer 170 retrieves by recognizing information from SIRCOM 210 as seen in Fig. 2) at least one piece of the stroke data (stored within) the stroke data storage unit (according to a predetermined condition), the retrieved stroke data corresponding to at least one stroke included in a predetermined area (stroke data by 110, 120 are stored in the data storage device 245 and later retrieved by handwriting recognizer 170 as seen in Fig. 2; the handwriting recognizer 170 recognizes at least one stroke as seen at col. 6 lines 29-32 and 41-47); and

a stroke data editing unit that edits at least one piece of the stroke data retrieved by the stroke data retrieving unit on a stroke basis (See, col. 7 lines 56-58, also at col. 3 lines 25-29 and 37-40 it explained how the stroke data is retrieved and edited).

Rhyne discloses a stroke retrieving unit for retrieving strokes according to a predetermined condition as disclosed above. However, Rhyne does not expressly disclose selectively retrieving stroke data according to a predetermined condition. Aitani discloses retrieving unit (col. 10 lines 44-50) that selectively retrieves stroke data from storage according to a predetermined condition in Figure 8, col. 14 lines 22-67 (note that the predetermined condition associated with timing is disclosed at col. 9 lines 14-24, col. 11 lines 56-65, col. 12 lines 4-10). Rhyne and Aitani are combinable because they are from the

same field of endeavor, i.e., processing stroke data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Aitani with Rhyne. The motivation for doing so is to eliminate cutting operation of the input stroke data into segments and as a result, the process time required for the cutting process becomes unnecessary and it becomes possible to process at high speed, even during the retrieval process of a continuously input character string as suggested by Aitani. Therefore, it would have been obvious to combine Aitani with Rhyne to obtain the invention as specified in claim 1.

With regard to **claim 2** Rhyne discloses a first selection unit that selects the at least one piece of the stored stroke data to be retrieved by the stroke data retrieving unit according to the predetermined condition (selection unit that selects the word, for example, 'Yardley' from the address "1201 Yardley Rd" at col. 6 lines 25-28).

With regard to **claim 3** Rhyne discloses a second selection unit that selects the at least one piece of the retrieved stroke data to be edited by the stroke data editing unit (selecting the letter 'a' which is recognized as 'u' to be edited by initiating an error correction unit 180 at col. 6 lines 41-55).

With regard to **claim 4** Rhyne discloses a display unit that makes a display of at least one stroke indicated by the stroke data stored in the stroke data storage unit (display unit 130 in Fig. 2 and at col. 5 lines 57-58).

With regard to **claim 5** Rhyne discloses an area setting unit that sets the predetermined area, including the at least one stroke, corresponding to the stroke data retrieved by the stroke data retrieving unit (See, col. 7 lines 42-50 where the predetermined area is set depending on the normal or error mode).

Note, Aitani discloses a predetermined area as well at col. 10 lines 12-15. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Aitani with Rhyne. The motivation for doing so is to recognize the position of each stroke at specific

time as suggested by Aitani. Therefore, it would have been obvious to combine Aitani with Rhyne to obtain the invention as specified in claim 1.

With regard to **claim 6** Rhyne discloses the area setting unit sets the predetermined area, so that the predetermined area includes at least a part of the display made by the display unit (See, col. 7 lines 61-67).

With regard to **claim 7** Rhyne discloses the area setting unit sets the predetermined area, so that the predetermined area corresponds to at least a part of a locatable area on which the coordinate input device is locatable to give the stroke (setting unit sets the predetermined area col. 7 lines 42-67, as discussed above, and the coordinate input device is located within as disclosed at col. 1 lines 58-64).

With regard to **claim 8** Rhyne discloses each piece of the stroke data includes at least one of (storage time data indicating a storage time of storing the stroke data into the stroke data storage unit, color data indicating a color of the stroke, width data indicating a width of the stroke, and) identification data indicating an identification of the coordinate input device (stroke is being identified (i.e., recognized) by the handwriting recognizer 170 at col. 6 lines 25-32 with the coordinate device disclosed at col. 1 lines 58-64).

With regard to **claim 9** Aitani discloses the stroke data storage unit stores data on time series based on the storage time data, and the stroke data retrieving unit retrieves the stroke data on time series based on the storage time data (col. 9 lines 9-32).

With regard to **claim 10** Aitani discloses the predetermined condition determined based on the storage time data (col. 9 line 19-24, col. 11 lines 56-65 and col. 12 lines 4-10).

With regard to **claim 15** Rhyne discloses the predetermined condition is being determined based on the identification data (stroke is being identified by the recognizer 170, see, col. 7 lines 42-60 for the predetermined conditions).

Claim 17 recites identical features as claim 1. Thus, arguments similar to that presented above for claim 1 is equally applicable to claim 17.

Claim 18 recites identical features as claim 2. Thus, arguments similar to that presented above for claim 2 is equally applicable to claim 18.

Claim 19 recites identical features as claim 8. Thus, arguments similar to that presented above for claim 8 is equally applicable to claim 19.

Claim 20 recites identical features as claim 1 except claim 20 is a method claim. Thus, arguments similar to that presented above for claim 1 is equally applicable to claim 20.

Claim 21 recites identical features as claim 2. Thus, arguments similar to that presented above for claim 2 is equally applicable to claim 21.

Claim 22 recites identical features as claim 8. Thus, arguments similar to that presented above for claim 8 is equally applicable to claim 22.

Claim 23 recites identical features as claim 1 except claim 23 is a computer-readable memory claim. Thus, arguments similar to that presented above for claim 1 is equally applicable to claim 23. Applicant's attention is further invited to Figure 1 for a computer medium.

Claim 24 recites identical features as claim 2. Thus, arguments similar to that presented above for claim 2 is equally applicable to claim 24.

Claim 25 recites identical features as claim 8. Thus, arguments similar to that presented above for claim 8 is equally applicable to claim 25.

9. Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rhyne et al. (hereinafter, "Rhyne") (US 5,511,135) in view of Aitani et al. (hereinafter, "Aitani") (US 6,055,332) as applied to claims 1-10, 15, and 17-25 above, and further in view of Zank et al. (US 6,307,955) (hereinafter, "Zank").

With regard to **claims 13-14** Rhyne discloses the stroke data editing device with predetermined condition as disclosed above in claims 1 and 8. However, Rhyne does not expressly disclose the predetermined condition based on the color/width data. Zank discloses this at col. 8 lines 27-43. Rhyne, Aitani and Zank are combinable because they are from the same field of endeavor, i.e., stroke recognizer. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Zank with Rhyne and Aitani. The motivation for doing so is to authenticate the stroke data retrieved from the storage as suggested by Zank. Therefore, it would have been obvious to combine Zank with Rhyne and Aitani to obtain the invention as specified in claims 13-14.

Allowable Subject Matter

10. Claims 12 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The closest prior art to Rhyne and Zank are directed to a stroke data editing device/method/computer-readable memory as disclosed in independent claims 1, 17, 20, and 23. However, the closest prior art fails to disclose the first selection unit specifies a first boundary stroke data and a second boundary stroke data among the stroke data stored in the stroke data storage unit, and selects the stroke data so that every storage time of the selected stroke data inclusively falls between the storage times of the first and the second boundary stroke data as disclosed in claim 12. Further, the closet prior art fails to disclose each piece of the stroke data having to include one of a first identification data corresponding to a first stroke type and a second identification data corresponding to a second stroke type, the first stroke type giving visual information, the second stroke type visually dismissing the first stroke, and the predetermined condition is that the retrieved stroke data is free from the second identification data as disclosed in claim 16. It is for these reasons in combination with all the other elements of the claim that claims 12 and 16

would be allowable if rewritten in independent form including all of the limitation of the base claim and any intervening claims.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shefali D Patel whose telephone number is 571-272-7396. The examiner can normally be reached on M-F 8:00am - 5:00pm (First Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh M Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shefali D Patel
Examiner
Art Unit 2621

April 5, 2005

BRIAN WERNER
PRIMARY EXAMINER